

Application No.: 09/770,070
Amendment Dated: April 12, 2006
Reply to Office Action of: January 12, 2006

REMARKS

Claims 35-67 are pending in the application. Claims 35, 46 and 57 have been amended. In view of the foregoing amendments and the remarks urged here, Applicants respectfully request that the Examiner reconsider all outstanding rejections.

Claim Rejections – 35 U.S.C. § 103

The Examiner has rejected claims 35-42, 45-53, 56-64 and 67 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,622,018 to Erekson (“Erekson”) in view of U.S. Patent Application Publication No. 200020035404 to Ficco et al. (“Ficco”). The Examiner has rejected claims 43-44, 54-55 and 65-66 under 35 U.S.C. § 103(a) as being unpatentable over Erekson in view of Ficco in further view of U.S. Patent No. 5,657,317 to Mahany et al. (“Mahany”).

Claims 35-42, 45-53, 56-64 and 67:

Applicants have amended claims 35, 46 and 57 to more particularly point out and distinctly claim the subject matter regarded as the invention. Specifically, claim 35 has been amended to recite that the personal digital assistant includes an internal clock integrated within the personal digital assistant and that at a first time corresponding to the time data, a control signal to cause a device to perform a first action is transmitted where the first time is a time indicated by the internal clock. Claim 46 has been amended to recite that the processor has an integrated internal clock and that at a first time corresponding to the time data, a control signal to cause a device to perform a first action is transmitted where the first time is a time indicated by the internal clock. Similarly, claim 57 has been amended to recite a method including the first time indicated by an internal clock where the portable handheld device includes an internal clock.

Among the problems the present invention is intended to solve is the problem of controlling electronic devices and systems which have time dependent operations. The present invention, therefore, proposes combining an internal clock integrated within the personal digital assistant and using a user controlled time data to cause various electronic devices and systems to perform an action. A user is permitted to enter specified time data for having devices perform a

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certain action at a certain time and when the internal clock of the personal digital assistant reaches that certain time, a control signal is transmitted to effectuate the action at the device.

By contrast, Erikson is directed to a handheld computer for controlling a remote device over a wireless connection. Erikson does not teach or suggest that the handheld computer has an internal clock. Further, since Erikson does not teach an internal clock in the handheld computer, there is no teaching or suggestion that the handheld computer “wirelessly transmit via the wireless communications device, at a first time corresponding to the time data, a control signal to cause the device to perform a first action, said first time indicated by said internal clock.” Indeed, Erikson teaches a simple remote control device configured to operate multiple devices. The present invention, as recited in claims 35, 46 and 57, by contrast, teaches a personal digital assistant which provides a menu system whereby the user may specify certain times for certain actions for devices. The present invention does not teach immediate transmittal of control signals signifying those certain actions, but rather the personal digital assistant matches the predetermined certain time with a time indicated by the internal clock to transmit control signals.

The shortcomings of Erikson are not overcome by Ficco. Ficco teaches a menu system where a user may set triggers for certain scripts to execute for controlling devices. However, Ficco fails to teach or suggest a user being able to directly select a device to be controlled at a certain time. Ficco teaches controlling a device through a script rather than controlling the device directly.

Therefore, Applicants respectfully submits that any combination of Erikson and Ficco does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Since a *prima facie* case of obviousness has not been set forth, Applicants respectfully submit that independent claims 35, 46 and 57 are allowable over the cited references. Claims 36-42, 45, 47-53, 56, 58-64 and 67, by their dependency on claims 35, 46 and 57 respectively, are similarly allowable. Early notice to that effect is earnestly solicited.

Claims 43-44, 54-55 and 65-66:

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Applicants have amended claims 35, 46 and 57 to more particularly point out and distinctly claim the subject matter regarded as the invention. Specifically, claim 35 has been amended to recite that the personal digital assistant includes an internal clock integrated within the personal digital assistant and that at a first time corresponding to the time data, a control signal to cause a device to perform a first action is transmitted where the first time is a time indicated by the internal clock. Claim 46 has been amended to recite that the processor has an integrated internal clock and that at a first time corresponding to the time data, a control signal to cause a device to perform a first action is transmitted where the first time is a time indicated by the internal clock. Similarly, claim 57 has been amended to recite a method including the first time indicated by an internal clock where the portable handheld device includes an internal clock.

Among the problems the present invention is intended to solve is the problem of controlling electronic devices and systems which have time dependent operations. The present invention, therefore, proposes combining an internal clock integrated within the personal digital assistant and using a user controlled time data to cause various electronic devices and systems to perform an action. A user is permitted to enter specified time data for having devices perform a certain action at a certain time and when the internal clock of the personal digital assistant reaches that certain time, a control signal is transmitted to effectuate the action at the device.

By contrast, Erekson is directed to a handheld computer for controlling a remote device over a wireless connection. Erekson does not teach or suggest that the handheld computer has an internal clock. Further, since Erekson does not teach an internal clock in the handheld computer, there is no teaching or suggestion that the handheld computer “wirelessly transmit via the wireless communications device, at a first time corresponding to the time data, a control signal to cause the device to perform a first action, said first time indicated by said internal clock.” Indeed, Erekson teaches a simple remote control device configured to operate multiple devices. The present invention, as recited in claims 35, 46 and 57, by contrast, teaches a personal digital assistant which provides a menu system whereby the user may specify certain times for certain actions for devices. The present invention does not teach immediate transmittal of control

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signals signifying those certain actions, but rather the personal digital assistant matches the predetermined certain time with a time indicated by the internal clock to transmit control signals.

The shortcomings of Erikson are not overcome by Ficco or Mahany nor are the references cited for such teachings. Ficco teaches a menu system where a user may set triggers for certain scripts to execute for controlling devices. However, Ficco fails to teach or suggest a user being able to directly select a device to be controlled at a certain time. Ficco teaches controlling a device through a script rather than controlling the device directly. Mahany is directed to a wireless local area network between a mobile computing device and peripheral devices.

Therefore, Applicants respectfully submits that any combination of Erikson, Ficco and Mahany does not teach or suggest every claimed feature of the invention. The prior art reference (or references) must teach or suggest all of the claim limitations. In re Vaeck, 947 F.2d 488 (Fed. Cir. 1991). Since a *prima facie* case of obviousness has not been set forth, Applicants respectfully submit that independent claims 35, 46 and 57 are allowable over the cited references. Claims 43-44, 54-55 and 65-66, by their dependency on claims 35, 46 and 57 respectively, are similarly allowable. Early notice to that effect is earnestly solicited.

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Conclusion

All of the stated grounds of rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider the outstanding rejections. The Examiner is invited to telephone the undersigned representative if an interview might expedite allowance of this application.

Respectfully submitted,

BERRY & ASSOCIATES P.C.



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